

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

# **HOUSE BILL 2055**

## **AN ACT**

AMENDING SECTION 15-1808, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 3, ARTICLE 7.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-612; MAKING AN APPROPRIATION; RELATING TO SCHOLARSHIPS FOR VETERANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 15-1808, Arizona Revised Statutes, is amended to  
3 read:

4           15-1808. Tuition waiver of child or spouse of peace officer,  
5           correctional officer, fire fighter, emergency  
6           paramedic or national guard member killed in the  
7           line of duty; definitions

8       A. The board of regents, after verification by the Arizona peace  
9 officers memorial board, by the Arizona fire fighters and emergency  
10 paramedics memorial board or by the adjutant general of the national guard  
11 that a person is a child or a spouse of a peace officer, correctional  
12 officer, fire fighter, emergency paramedic or national guard member who was a  
13 resident of the state of Arizona and who was killed in the line of duty or  
14 who died from injuries suffered in the line of duty while traveling to or  
15 from duty, shall provide the person who qualifies under subsection B of this  
16 section and who otherwise meets the qualifications for admission with a  
17 tuition waiver scholarship at any university under the jurisdiction of the  
18 board. A district as defined in section 15-1401, after verification by the  
19 Arizona peace officers memorial board, by the Arizona fire fighters and  
20 emergency paramedics memorial board or by the adjutant general of the  
21 national guard that a person is the child or the spouse of a peace officer,  
22 correctional officer, fire fighter, emergency paramedic or national guard  
23 member who was a resident of Arizona and who was killed in the line of duty  
24 or who died from injuries suffered in the line of duty while traveling to or  
25 from duty, shall provide the person who qualifies under subsection B of this  
26 section and who otherwise meets the qualifications for admission with a  
27 tuition waiver scholarship at any community college under the jurisdiction of  
28 the board.

29       B. The tuition waiver scholarships shall be limited to children who  
30 are thirty years of age or younger or a spouse who has not remarried and  
31 shall be limited for a spouse or for any one child to no more than sixty-four  
32 credit hours at Arizona community colleges and a total number of credits  
33 including any transfer credits from an Arizona community college equal to the  
34 number of credits required for a baccalaureate degree at Arizona universities  
35 for that student's initially declared course of study.

36       C. A member of the Arizona national guard who received a purple heart  
37 citation on or after September 11, 2001 or a former member of the Arizona  
38 national guard who was medically discharged from the Arizona national guard  
39 due to an injury or disability suffered during status under title 10, United  
40 States Code, in weekend training status, in annual training status or in  
41 response to a state of emergency declared by the governor is eligible for a  
42 tuition waiver scholarship provided for in this section.

43       D. C. For the purposes of this section:

44       1. "Correctional officer" means a person, other than an elected  
45 official, who is employed by this state or a county, city or town and who is

1 responsible for the supervision, protection, care, custody or control of  
2 inmates in a state, county or municipal correctional institution, including  
3 counselors but excluding secretarial, clerical and professionally trained  
4 personnel.

5       2. "Emergency paramedic" means a person who has been trained in an  
6 emergency paramedic training program certified by the director of the  
7 department of health services or in an equivalent training program and who is  
8 certified by the director of the department of health services to render  
9 services pursuant to section 36-2205.

10      3. "Fire fighter" means a professional fire fighter who is a member of  
11 a state, federal, tribal, city, county, district or private fire department.

12      4. "Peace officers" means sheriffs of counties, constables, marshals,  
13 police officers of cities and towns, commissioned personnel of the department  
14 of public safety and police officers appointed by community college district  
15 governing boards or the Arizona board of regents, who have received a  
16 certificate from the Arizona peace officer standards and training board, and  
17 other state, federal, tribal, city or county officers vested by law with a  
18 duty to maintain public order and make arrests.

19      Sec. 2. Title 41, chapter 3, article 7.1, Arizona Revised Statutes, is  
20 amended by adding section 41-612, to read:

21      41-612. Purple heart postsecondary tuition scholarship program;  
22                   job training or vocational programs; program  
23                   termination

24      A. THE PURPLE HEART POSTSECONDARY TUITION SCHOLARSHIP PROGRAM IS  
25 ESTABLISHED. THE DEPARTMENT OF VETERANS' SERVICES SHALL DEVELOP, IMPLEMENT  
26 AND ADMINISTER THE PROGRAM.

27      B. THE FOLLOWING PERSONS ARE ELIGIBLE TO SUBMIT AN APPLICATION TO THE  
28 DEPARTMENT FOR PARTICIPATION IN THE SCHOLARSHIP PROGRAM ESTABLISHED BY THIS  
29 SECTION:

30      1. A PERSON WHO IS A RESIDENT OF THIS STATE, WHO IS ELIGIBLE FOR AND  
31 HAS APPLIED FOR BENEFITS UNDER THE MONTGOMERY GI BILL ACT OF 1984  
32 (P.L. 98-525; 98 STAT. 2553; 38 UNITED STATES CODE CHAPTER 30 OR 32) OR UNDER  
33 10 UNITED STATES CODE CHAPTER 1606 OR 1607, WHO RECEIVED A PURPLE HEART  
34 CITATION ON OR AFTER SEPTEMBER 11, 2001 AND WHO REGISTERS FOR ENROLLMENT AS A  
35 FULL-TIME STUDENT IN AN UNDERGRADUATE PROGRAM AT AN ACCREDITED AND PUBLIC OR  
36 PRIVATE POSTSECONDARY INSTITUTION IN THIS STATE THAT IS APPROVED BY THE  
37 DEPARTMENT OR WHO ENROLLS IN A JOB TRAINING PROGRAM OR A VOCATIONAL PROGRAM  
38 THAT IS APPROVED BY THE DEPARTMENT.

39      2. A MEMBER OF THE ARIZONA NATIONAL GUARD WHO RECEIVED A PURPLE HEART  
40 CITATION ON OR AFTER SEPTEMBER 11, 2001 OR A FORMER MEMBER OF THE ARIZONA  
41 NATIONAL GUARD WHO WAS MEDICALLY DISCHARGED FROM THE ARIZONA NATIONAL GUARD  
42 DUE TO AN INJURY OR DISABILITY SUFFERED DURING STATUS UNDER TITLE 10, UNITED  
43 STATES CODE, IN WEEKEND TRAINING STATUS, IN ANNUAL TRAINING STATUS OR IN  
44 RESPONSE TO A STATE OF EMERGENCY DECLARED BY THE GOVERNOR. THE DEPARTMENT

1 MAY AWARD A SCHOLARSHIP TO THE SPOUSE OF A MEMBER OR A FORMER MEMBER OF THE  
2 ARIZONA NATIONAL GUARD IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

3       (a) THE MEMBER OR THE FORMER MEMBER OF THE ARIZONA NATIONAL GUARD IS  
4 ELIGIBLE FOR A SCHOLARSHIP PROVIDED FOR IN THIS SECTION.

5       (b) THE DEPARTMENT RECEIVES WRITTEN DOCUMENTATION THAT THE MEMBER OR  
6 THE FORMER MEMBER OF THE ARIZONA NATIONAL GUARD DOES NOT INTEND TO USE OR IS  
7 UNABLE TO USE THE SCHOLARSHIP.

8       (c) IF THE MEMBER OR THE FORMER MEMBER OF THE ARIZONA NATIONAL GUARD  
9 HAS THE CAPACITY TO CONSENT, PROOF IS PROVIDED TO THE DEPARTMENT OF THE  
10 MEMBER OR FORMER MEMBER'S CONSENT TO THE USE OF THE SCHOLARSHIP BY THE MEMBER  
11 OR FORMER MEMBER'S SPOUSE.

12       (d) THE SPOUSE OF THE MEMBER OR THE FORMER MEMBER HAS NOT REMARRIED.

13       C. THE DEPARTMENT SHALL:

14           1. ESTABLISH ELIGIBILITY CRITERIA FOR THE PROGRAM.

15           2. DEVELOP APPLICATION FORMS, PROCEDURES AND DEADLINES.

16           3. SELECT QUALIFYING STUDENTS EACH YEAR FOR PARTICIPATION IN THE  
17 PROGRAM.

18       D. PARTICIPATING STUDENTS SHALL RECEIVE A SCHOLARSHIP IN AN AMOUNT  
19 EQUAL TO THE LESSER OF THE HIGHEST UNDERGRADUATE TUITION CHARGED DURING THE  
20 PREVIOUS FISCAL YEAR BY A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA  
21 BOARD OF REGENTS OR THE ACTUAL AMOUNT OF TUITION AT THE POSTSECONDARY  
22 INSTITUTION, JOB TRAINING PROGRAM OR VOCATIONAL PROGRAM ATTENDED BY THE  
23 STUDENT. THE SCHOLARSHIP SHALL BE USED TO PAY ALL OR A PORTION OF THE  
24 TUITION AND FEES CHARGED BY THE PUBLIC OR PRIVATE POSTSECONDARY INSTITUTION,  
25 THE JOB TRAINING PROGRAM OR THE VOCATIONAL PROGRAM.

26       E. THE PURPLE HEART POSTSECONDARY TUITION SCHOLARSHIP FUND IS  
27 ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS. THE DEPARTMENT OF  
28 VETERANS' SERVICES SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE EXEMPT  
29 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPsing OF APPROPRIATIONS.  
30 THE DEPARTMENT SHALL MAKE AWARDS FOR PAYMENT OF TUITION TO STUDENTS WHO ARE  
31 SELECTED TO PARTICIPATE IN THE SCHOLARSHIP PROGRAM PURSUANT TO THIS SECTION.

32       F. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2016  
33 PURSUANT TO SECTION 41-3102.

34       Sec. 3. Appropriation; purpose; exemption

35       A. The sum of \$914,000 is appropriated from the state general fund in  
36 fiscal year 2006-2007 to the purple heart postsecondary tuition scholarship  
37 fund established by section 41-612, Arizona Revised Statutes, as added by  
38 this act, and is appropriated from that fund to the department of veterans'  
39 services for the purposes of this act.

40       B. The appropriation made in subsection A of this section is exempt  
41 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
42 lapsing of appropriations.